

AMENDED IN SENATE MAY 7, 2008
AMENDED IN SENATE APRIL 15, 2008
AMENDED IN SENATE APRIL 2, 2008

SENATE BILL

No. 1518

Introduced by Senator Correa

February 22, 2008

An act to add Chapter 8.5 (commencing with Section 537) to Division 1 of the Water Code, relating to water metering.

LEGISLATIVE COUNSEL'S DIGEST

SB 1518, as amended, Correa. Water charges; *and* meters, ~~and submeters~~; *new* multiunit residential structures.

(1) The Water Measurement Law requires every water purveyor to require, as a condition of new water service on and after January 1, 1992, the installation of a water meter to measure water service. That law also requires urban water suppliers to install water meters on specified service connections, and to charge water users based on the actual volume of deliveries as measured by those water meters in accordance with a certain timetable.

This bill, ~~with a certain exception~~, would require every water purveyor who provides water service to any person ~~residing in~~ *owning* a multiunit residential structure for which ~~an the first~~ occupancy permit ~~has been~~ *was* issued on or after January 1, 2012, to require the installation of *separate* meters ~~or submeters~~ on each individual *residential* rental unit as a condition of water service to that property. The bill would authorize the owner or operator to charge tenants based on the actual volume of water delivered as measured by the water meter ~~or submeter~~.

(2) Existing law requires county sealers to inspect and test measuring devices and permits the board of supervisors of a county to charge an annual device registration fee to recover costs associated with the exercise of those functions costs of inspecting or testing weighing and measuring devices. Existing law makes it a crime to violate certain laws relating to the certification and installation of measuring devices.

This bill would provide that any fees to cover the certification and testing of the meters may be paid in accordance with those provisions make those laws applicable to the meters and submeters installed pursuant to the bill's provisions, and would provide that the property owner is responsible for compliance with those laws. By imposing additional duties on counties with regard to the inspection of meters and submeters, the bill would impose a state-mandated local program. Because, under existing law, a violation of those laws is a crime, the bill would impose a state-mandated local program.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes-no.
State-mandated local program: yes-no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 8.5 (commencing with Section 537) is
2 added to Division 1 of the Water Code, to read:

3

4 CHAPTER 8.5. NEW MULTIUNIT RESIDENTIAL STRUCTURES

5

6 537. (a) Every water purveyor who sells, leases, rents,
7 furnishes, or delivers water service to any person residing in a
8 multiunit residential structure for which an occupancy permit has
9 been issued on or after January 1, 2012, shall require the
10 installation of meters or submeters on each individual rental unit

1 as a condition of water service to that property, except if plumbing
2 configurations with multiple points of entry in high rise structures
3 make the installation of submeters infeasible. *furnishes, or delivers*
4 *water service to any person owning a multiunit residential structure*
5 *for which the first occupancy unit was issued on or after January*
6 *1, 2012, shall require separate meters on each individual*
7 *residential rental unit as a condition of water service to that*
8 *property.*

9 ~~(b) All meters and submeters shall be certified, installed, and~~
10 ~~administered in accordance with the applicable sections of Division~~
11 ~~5 (commencing with Section 12001) of the Business and~~
12 ~~Professions Code.~~

13 ~~(c) Compliance with laws governing submeter installation,~~
14 ~~certification, maintenance, fees, and testing shall be the~~
15 ~~responsibility of the property owner and not the water purveyor.~~

16 ~~(d)~~

17 (b) The owner or operator of the multiunit residential structure
18 described in subdivision (a) may charge tenants for water service
19 based on the actual volume of water delivered to the unit as
20 measured by the meter ~~or submeter~~ installed pursuant to
21 subdivision (a).

22 ~~(e) AH~~

23 (c) Any fees to cover the certification and testing of the meters
24 ~~and submeters shall~~ *may* be paid in accordance with Article 2.1
25 (commencing with Section 12240) of Chapter 2 of Division 5 of
26 the Business and Professions Code.

27 (f) ~~For the purposes of this chapter, the following terms have~~
28 ~~the following meanings:~~

29 (1) ~~“High-rise structure” has the same meaning as that set forth~~
30 ~~in subdivision (b) of Section 13210 of the Health and Safety Code.~~

31 (2) ~~“Water meters” and “water submeters” includes any suitable~~
32 ~~water measuring device or facility that measures or determines the~~
33 ~~volumetric flow of water.~~

34 SEC. 2. ~~No reimbursement is required by this act pursuant to~~
35 ~~Section 6 of Article XIII B of the California Constitution for certain~~
36 ~~costs that may be incurred by a local agency or school district~~
37 ~~because, in that regard, this act creates a new crime or infraction,~~
38 ~~eliminates a crime or infraction, or changes the penalty for a crime~~
39 ~~or infraction, within the meaning of Section 17556 of the~~
40 ~~Government Code, or changes the definition of a crime within the~~

1 ~~meaning of Section 6 of Article XIII B of the California~~
2 ~~Constitution.~~

3 ~~However, if the Commission on State Mandates determines that~~
4 ~~this act contains other costs mandated by the state, reimbursement~~
5 ~~to local agencies and school districts for those costs shall be made~~
6 ~~pursuant to Part 7 (commencing with Section 17500) of Division~~
7 ~~4 of Title 2 of the Government Code.~~

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